

# EXHIBIT 3

IN THE DISTRICT COURT OF GUAM

GUAM WATERWORKS AUTHORITY,	)	
	)	Video-recorded
Plaintiff,	)	deposition of:
	)	
vs.	)	JOHN BRADLEY SARGENT
	)	
BADGER METER, INC., et al.,	)	
	)	Civil Action No.
Defendants.	)	20-cv-00032
	)	

December 13, 2022 \* 9:08 a.m.

Location: Office of Foley & Lardner  
95 South State Street, Suite 2500  
Salt Lake City, Utah 84111

Reporter: Kelly Fine-Jensen, RPR

Videographer: Gavin Bohne, CLVS

A P P E A R A N C E S

FOR THE PLAINTIFF:

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ALSO PRESENT:

Cody W. Stanger  
Jim Spencer

I N D E X

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Exhibit 4	Rebuttal to J. Bradley Sargent Report of Nov. 4, 2022, December 5, 2022 (previously marked)	
Exhibit 5	Expert Report of J. Bradley Sargent, November 14, 2022 (previously marked)	
Exhibit 104	Badger Meter, Lead-Free Bronze Disc Meters, Warranty, BM-0006143-144 (previously marked)	
Exhibit 105	Badger Meter, Lead-Free Bronze Disc Meters, Warranty, BM-0016060-061 (previously marked)	
Exhibit 195	Table 5.3 Test Requirements for New, Rebuilt, and Repaired Cold-Water Meters (previously marked)	
Exhibit 304	Guam Waterworks Authority, Financial Statements, Additional Information, and Independent Auditors' Report, Years Ended September 30, 2016 and 2015, GWA 002571-617	63
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1 consumption.

2           Is that your understanding, that if -- if  
3 the test meter -- bench were to put 1,000 gallons  
4 through, and the meter said it showed 600, but they  
5 know they put 1,000 through, that that's 60 percent  
6 accuracy, and 400 gallons were missed?

7           A.     That's my assumption, yes.

8           Q.     Okay. And that the revenue that would  
9 have been generated from that 400 gallons was lost to  
10 the billing system on the functioning of the meter  
11 prior to testing?

12          A.     As an assumption, yes.

13          Q.     Okay. No reason to disagree with the sort  
14 of math or logic of that?

15          A.     None.

16          Q.     So, on page 18 of your report, under the  
17 first full paragraph you state: "The Stanger Report  
18 presumed" -- in italics -- "that malfunctioning  
19 meters would read at a lower level than accurate  
20 meters."

21                 And you still stand by that statement as a  
22 criticism?

23          A.     Yes.

24          Q.     Okay. Explain that to me. How would a  
25 malfunctioning, inaccurate meter not read at a lower

